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02784.P001

RUSH*After Final Response
Expedited Procedure***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

MIRASHRAFI, et al.

Application No.: 08/818,771

Filed: March 14, 1997

For: Method And Apparatus For Value
Added Content Delivery

Examiner: Nguyen, S.

Group Art Unit: 2731

*Submission Via Facsimile
and Confirmation Copy via
First Class Mail*Assistant Commissioner for Patents
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Washington, D.C. 20231**OFFICIAL****RECEIVED**
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DRL

AFTER FINAL RESPONSE TO OFFICE ACTION
EXPEDITED PROCEDURE

Sir:

This communication is submitted in response to the Final Office Action mailed December 20, 1999. Reconsideration of the above captioned application in view of the remarks to follow is respectfully requested.

REMARKS

In the subject Final Office Action, claims 1-4, 6-11, 13-25, 29 and 30 were rejected. Claims 1-3, 19-21, 24 and 29 were rejected under 35 USC §102(e) as being anticipated by Merriman (USP 5948061) or Angies (USP 5933811). Claims 4, 6-11, 13-18, 22-23, 25 and 30 were rejected under 35 USC §103 in view of Merriman, Gabber

- 1 -

Attorney Docket No.: 02784.P001
Application No.: 08/818,771

PTO/88/21 (12/97)

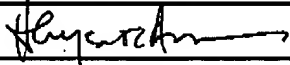
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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	08/818,771
		Filing Date	March 14, 1997
		First Named Inventor	Mojtaba Mirashrafi
		Group Art Unit	2731
		Examiner Name	Nguyen, S.
Total Number of Pages in This Submission	11	Attorney Docket Number	002784.P001

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> To Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Additional Enclosure(s) (please identify below): <div style="border: 1px solid black; height: 60px; width: 100%;"></div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Aloysius T.C. AuYeung, Reg. No. 35,432 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	3/13/00

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Typed or printed name	Michelle J. Turner		
Signature		Date	03/13/00

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PTO/SB/17 (8/88)

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FEE TRANSMITTAL for FY 1999 <small>Patent fees are subject to annual revision. Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 and 1.28.</small>		Complete if Known	
TOTAL AMOUNT OF PAYMENT (\$) 0.00		Application Number 08/818,771 Filing Date March 14, 1997 First Named Inventor Mojtaba Mirashrafi Examiner Name Nguyen, S. Group/Art Unit 2731 Attorney Docket Number 002784-P001	

METHOD OF PAYMENT (check one) 1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees to: Deposit Account Number 02-2666 Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP <input checked="" type="checkbox"/> Charge Any Additional Fees Required Under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20. 2. <input type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other	3. ADDITIONAL FEE <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for response within first month</td><td></td></tr> <tr><td>116</td><td>380</td><td>216</td><td>190</td><td>Extension for response within second month</td><td></td></tr> <tr><td>117</td><td>870</td><td>217</td><td>435</td><td>Extension for response within third month</td><td></td></tr> <tr><td>118</td><td>1,210</td><td>218</td><td>680</td><td>Extension for response within fourth month</td><td></td></tr> <tr><td>128</td><td>1,850</td><td>228</td><td>925</td><td>Extension for response within fifth month</td><td></td></tr> <tr><td>119</td><td>300</td><td>219</td><td>150</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>300</td><td>220</td><td>150</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>260</td><td>221</td><td>130</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>141</td><td>1,210</td><td>241</td><td>605</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>142</td><td>1,210</td><td>242</td><td>605</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>430</td><td>243</td><td>215</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>580</td><td>244</td><td>290</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>126</td><td>240</td><td>126</td><td>240</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>790</td><td>246</td><td>395</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>149</td><td>790</td><td>249</td><td>395</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td colspan="6">Other fee (specify) _____</td></tr> <tr><td colspan="6">Other fee (specify) _____</td></tr> </tbody> </table>	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	105	130	205	65	Surcharge - late filing fee or oath		127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for response within first month		116	380	216	190	Extension for response within second month		117	870	217	435	Extension for response within third month		118	1,210	218	680	Extension for response within fourth month		128	1,850	228	925	Extension for response within fifth month		119	300	219	150	Notice of Appeal		120	300	220	150	Filing a brief in support of an appeal		121	260	221	130	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,210	241	605	Petition to revive - unintentional		142	1,210	242	605	Utility issue fee (or reissue)		143	430	243	215	Design issue fee		144	580	244	290	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Petitions related to provisional applications		126	240	126	240	Submission of Information Disclosure Stmt		581	40	581	40	Recording each patent assignment per property (times number of properties)		146	790	246	395	Filing a submission after final rejection (37 CFR 1.129(a))		149	790	249	395	For each additional invention to be examined (37 CFR 1.129(b))		Other fee (specify) _____						Other fee (specify) _____					
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1. BASIC FILING FEE					
Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	690	201	345	Utility filing fee	
106	310	206	155	Design filing fee	
107	480	207	240	Plant filing fee	
108	690	208	345	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1)				(\$)	

2. EXTRA CLAIM FEES					
Total Claims		Extra Claims		Fee from below	
25	25			18.00	0
4	4			78.00	
Multiple Dependent					
*or number previously paid, if greater, For Reissues, see below					
Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	78	202	39	Independent claims in excess of 3	
104	260	204	130	Multiple Dependent claim, if not paid	
109	78	209	39	**Reissue independent claims over original patent	
110	18	210	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)				(\$)	0.00

3. ADDITIONAL FEE		Reduced by Basic Filing Fee Paid	
SUBTOTAL (3)		(\$)	

SUBMITTED BY				Complete (if applicable)	
Typed or Printed Name		Aloysius T.C. AuYeung		Reg. Number	35,432
Signature				Deposit Account User ID	02-2666
		Date	3/13/00		

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Facsimile Transmittal Sheet

Date: 3/13/2000

URGENT

Deliver to Examiner:

Nguyen, S.

Fax No. 703-305-3988

FROM BSTZ:

**Attorney: Al Au Yeung
Reg. No.: 35,432
Phone No.: (503) 684-6200
Operator: Michelle Turner
Page 1 of 12**

U.S. PATENT & TRADEMARK OFFICE

**Art Unit: 2731
Serial No.: 08/818,771
Our Reference No.: 02784.P001
Filing Date: March 14, 1997**

Message:

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